

Rules of Civil Procedure in LJ Courts
TOC for Rules 1 through 21: Draft 03.29.2011

Part I: General provisions.

Rule 1: Application and interpretation.

- a. Application.*
- b. Interpretation.*
- Committee comment.*

Part II: Duties.

Rule 2: Duties of parties.

- a. Parties.*
- b. Duties of parties.*
 - (1) Knowledge of the rules.*
 - (2) Address and telephone number.*
 - (3) Settlement.*
- c. Duties of attorneys.*

Part III: Pleadings

Rule 3: Definition of “pleading”.

“Pleading” defined.

Rule 4: General rules of pleading.

- a. Real party in interest.*
- b. Defendant’s name.*
- c. Claim for relief.*
- d. Interpretation of pleadings.*

Rule 5: Caption and format of pleadings and other documents.

- a. Caption.*
- b. Format.*
- c. Format of documents other than pleadings.*
- d. Format used by the court.*

Rule 6: Signatures on pleadings and other documents filed with the court.

- a. Signature.*
- b. Certification.*
- c. Certification for a pleading.*

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Rule 7: Naming the real party in interest.

- a. General rule.*
- b. Executors, administrators, guardians, trustees.*
- c. Bailees.*
- d. Plaintiff authorized by statute.*
- e. Other situations.*
- f. Partnerships.*
- g. Mistake in the real party in interest.*

Rule 8: Adding (“joining”) claims and remedies; necessary parties.

- a. Adding claims.*
- b. Requesting remedies.*

Rule 9: Adding (“joining”) parties; necessary parties.

- a. Who may join as plaintiffs.*
- b. Who may be joined as defendants.*
- c. Judgment given on specific claims.*
- d. Separate trials concerning claims or parties.*
- e. Joining wrong parties or failure to join parties.*
- f. Necessary parties.*

Rule 10: Intervention and interpleader.

- a. Intervention.*
- b. Interpleader.*

Rule 11: Substitution of parties during a lawsuit.

- a. Death of a party during a lawsuit.*
 - 1. Rights not extinguished by death.*
 - 2. Rights extinguished by death.*
- b. Death of a defendant after a personal injury lawsuit has started.*
- c. Incompetency during a lawsuit.*
- d. Transfer of interest during a lawsuit.*
- e. Public officers.*

Part IV: Starting a lawsuit: the complaint, the summons, and service of the summons and complaint.

Rule 12. Filing a complaint with the court clerk; content of the complaint; case number and filing date.

- a. Starting a lawsuit.*

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- b. Content of the complaint.*
- c. Case number and filing date.*

Rule 13: Issuance of the summons by the court clerk; content of the summons; replacement summons.

- a. Issuance of the summons.*
- b. Content of the summons.*
- c. Replacement summons.*

Rule 14: Service of the summons and complaint.

- a. Personal service.*
- b. Service on an out-of-state defendant.*
- c. Acceptance of service.*
- d. Service on a minor.*
- e. Service on corporations, partnerships, limited liability companies, and associations.*
- f. Service upon the State.*
- g. Service upon a county or municipality.*
- h. Service on others within Arizona.*
- i. Service on others outside Arizona.*
- j. Alternative or substituted service.*
- k. Service by publication.*
- l. Service under the Nonresident Motorists Act.*
- m. Jurisdiction.*
- n. Dismissal because of lack of service.*

Part V: Responding to a lawsuit.

Rule 15: Time to respond after service of a complaint, or after service of a third party complaint, cross-claim or counterclaim.

- a. Time to respond after service of a summons and complaint or after service of a summons and a third-party complaint.*
- b. Time to respond after service of a cross-claim or counterclaim.*
- c. Calculations of time.*
- d. Copy of response.*

Rule 16: Time calculations.

- a. Basic rule.*
- b. Additional time for mailing or e-mailing.*

Rule 17: Filing a response to the complaint.

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a. Defendant's response.

- 1. An answer to the complaint.*
- 2. A motion to dismiss the complaint.*
- 3. A motion for a more definite statement.*
- 4. A motion to strike the complaint.*
- 5. Proceedings after a motion under this rule.*

b. Waiver of defenses.

c. Affirmative defenses.

d. Misnamed defenses and counterclaims.

e. Application to other pleadings.

Rule 18: Counterclaims and cross-claims.

a. Required counterclaim.

b. Permitted counterclaim.

c. Failure to file counterclaim.

d. Cross-claim.

e. Reply to counterclaim; answer to cross-claim.

f. Filing and service of documents under this rule.

g. Claim exceeding the jurisdiction of the court.

Rule 19: Third-party complaint.

a. Reason for a third-party complaint.

b. Service of a third-party complaint.

Rule 20: Amended and supplemental pleadings.

a. Amendments to pleadings.

b. Supplemental pleadings.

c. Postponements under this rule.

d. Amendments to conform to the evidence.

e. Relation back of amendments.

f. Rulings.

Rule 21: Providing documents to other parties.

a. General rule.

b. Application.

c. Methods of providing a document to the other parties.

d. Party represented by an attorney.

e. Noting the method of service.

f. Service of motion or pleading after entry of judgment.

g. Documents that are not filed with the court.